IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

VICTORIA OKHUELEIGBE and	§	
LAWRENCE NWORA as	§	
Administrator of the Estate of	§	
Sylvanus Okhueleigbe,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No. H-11-2839
	§	
THOMAS LOYD HARRIS, CITY	§	
OF HOUSTON, MAZADA	§	
ENTERPRISES d/b/a STUDIO 59	§	
BAR AND GRILL and BEAU	§	
FERGUSON,	§	
	§	
Defendants.	§	
	<u>ORDER</u>	

Pending before the Court is the Motion to Dismiss Plaintiffs' Claims for Failure to Prosecute Their Claims and Failure to Comply with Discovery Requests (Document No. 50) filed by Defendants Thomas Loyd Harris and City of Houston. Having considered the arguments in open court of counsel, motion, submissions, and applicable law, the Court determines the motion should be denied without prejudice. Accordingly, the Court hereby

ORDERS that the Motion to Dismiss Plaintiffs' Claims for Failure to Prosecute Their Claims and Failure to Comply with Discovery Requests (Document No. 50) is **DENIED WITHOUT PREJUDICE**.

SIGNED at Houston, Texas, on this 23 day of August, 2013.

DAVID HITTNER

United States District Judge